UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1997/L.10/Add.16
15 April 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 26

REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-THIRD SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Ms. Margarita ESCOBAR LOPEZ

CONTENTS*

Chapter

XVI. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION

* Documents E/CN.4/1997/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1997/L.11 and addenda.

XVI. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION

1. The Commission considered agenda item 16 at its 20th meeting on 24 March, at its 23rd and 24th meetings, on 25 March, and at its 56th meeting, on 11 April 1997. 1/

2. For the documents issued under agenda item 16, see annex ... to the present report. For a list of resolutions and decisions adopted by the Commission, see annex ... to the present report.

3. At the 20th meeting, on 24 March 1997, the Chairman of the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Mr. Swami Agnivesh made a statement.

4. At the 23rd meeting, on 25 March 1997, the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-eighth session, Mr. Asbjørn Eide, introduced his report (E/CN.4/1997/79).

5. In the general debate on agenda item 16, statements 2/ were made by the following members of the Commission: Bangladesh (24th), Brazil (24th), China (24th), Denmark (24th), Germany (24th), India (24th), Ireland (24th), Mexico (24th), Pakistan (24th), the Philippines (24th), Ukraine (24th), United States of America (24th).

6. The Commission heard statements by the observers for: Denmark (24th), Norway (on behalf of the Nordic countries) (24th), Poland (24th), Slovenia (on behalf of the Czech Republic, Poland and Slovakia) (23rd). A statement was also made by the observer for Switzerland (24th).

7. Statements were also made by the observers for the International Organization for Migration (23rd), the International Committee of the Red Cross (24th) and the United Nations Children's Fund (24th).

8. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (24th), Asian Cultural Forum on Development (24th), Indian Law Resource Centre (24th), International Association of Educators for World Peace (23rd), International Educational Development, Inc. (23rd), International Indian Treaty Council (24th), International League for Human

Rights (24th), International Progress Organization (24th), Transnational Radical Party (24th), United Towns Agency for North-South Cooperation (24th), Women's International Democratic Federation (24th), Women's International League for Peace and Freedom (24th).

9. Statements in exercise of the right of reply or its equivalent were made by the observer for Mauritania (24th).

10. At the 56th meeting, on 11 April 1997, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 16.

Traffic in women and girls

11. The representative of the Philippines introduced draft resolution E/CN.4/1997/L.34, sponsored by Bhutan, Cyprus, El Salvador, Greece, Honduras, Indonesia, Iraq, Malaysia, the Marshall Islands, Mexico, Morocco, Myanmar, Nepal, Nicaragua, Nigeria, Pakistan, Peru, the Philippines, South Africa, Sri Lanka, Thailand and Viet Nam. Argentina, Bangladesh, Belgium, Chile, Colombia, the Czech Republic, the Dominican Republic, Egypt, France, Germany, Ireland, Madagascar, Portugal, the Republic of Korea, Togo, Uganda and Uruguay subsequently joined the sponsors. Thailand subsequently withdrew as a sponsor.

12. The draft resolution was orally revised by the representative of the Philippines as follows:

(a) Operative paragraph 4 which read: "Invites Governments to accord standard minimum humanitarian treatment of trafficked persons, consistent with human rights standards and, with the support of the United Nations, to formulate manuals for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to sensitizing them to the special needs of victims;" was replaced by new operative paragraphs 4 and 5, the subsequent paragraphs being renumbered accordingly;

(b) Operative paragraph 6 which read: "Invites the Special Rapporteur on violence against women, its causes and consequences and the Special Rapporteur on the sale of children, child prostitution and child pornography, in addressing the obstacles to the realization of the human rights of women, to include traffic in women and girls among their priority concerns;" was replaced by a new text.

13. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/19.

Human rights of persons with disabilities

14. The representative of Ireland introduced draft decision E/CN.4/1997/L.39, sponsored by Ireland. The Czech Republic, the Philippines and Venezuela subsequently joined the sponsor.

15. A statement in connection with the draft decision was made by the representative of the Netherlands.

16. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision.

17. The draft decision was adopted without a vote. Statements in explanation of vote after the vote were made by the representatives of Ireland and the United Kingdom of Great Britain and Northern Ireland.

18. For the text of the decision as adopted, see chapter II, section B, decision 1997/...

Contemporary forms of slavery

19. The representative of the Netherlands introduced draft resolution E/CN.4/1997/L.41, sponsored by Cuba and the Netherlands. Canada, Colombia, the Czech Republic, Madagascar, Norway, the Philippines, Poland and the Republic of Korea subsequently joined the sponsors.

20. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/20.

Minimum humanitarian standards

21. The observer for Norway introduced draft resolution E/CN.4/1997/L.42, sponsored by Argentina, Canada, Chile, Croatia, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, Germany, Hungary, Iceland, Italy, Madagascar, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Sweden, Switzerland and Uruguay. Ireland, Israel, Liechtenstein and Ukraine subsequently joined the sponsors.

22. Statements in connection with the draft resolution were made by the representatives of Cuba and India.

23. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/21.

Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

24. The representative of Germany introduced draft resolution E/CN.4/1997/L.43, sponsored by Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, the Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Gabon, Germany, Greece, Honduras, India, Ireland, Italy, Madagascar, the Netherlands, New Zealand, Nicaragua, Norway, the Philippines, Portugal, Romania, Slovakia, Slovenia, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Argentina, Equatorial Guinea, Hungary, Japan, Liechtenstein, Luxembourg, Madagascar, New Zealand, Peru, Poland, Sweden, the Republic of Korea, the Russian Federation and the United States of America subsequently joined the sponsors.

25. The representative of Germany orally revised the draft resolution as follows:

(a) In operative paragraph 3 (b), the words "unless, in" were replaced by "and furthermore limit action to";

(b) In the same paragraph, after "exceptional cases", the words "in which" were inserted;

(c) In operative paragraph 3 (d), after "impartiality of", the word "the" was added;

(d) In the same paragraph, after "Sub-Commission" the word "members" was deleted;

(e) At the end of the same paragraph, the words "State of which a member of the Sub-Commission is a national" was replaced by the words "specific country".

26. A statement in connection with the draft resolution was made by the representative of Cuba.

27. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1997/22.

Traditional practices affecting the health of women and children

28. The Commission considered draft decision 2, recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission (see E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. I, sect. B).

29. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision.

30. The draft decision was adopted without a vote. For the text of the decision as adopted, see chapter II, section B, decision 1997/...